United Nations A/C.3/52/SR.44

General Assembly
Fifty-second session

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Third Committee

Summary record of the 44th meeting
Held at Headquarters, New York, on Thursday, 20 November 1997, at 3 p.m.

Chairman: Mr. Busacca ..... (Italy)

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Agenda item 112: Human rights questions (*continued*)

(a) Implementation of human rights instruments (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

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97-82946 (E)

The meeting was called to order at 3.20 p.m.

Agenda item 112: Human rights questions (*continued*)

(a) Implementation of human rights instruments (*continued*) (A/C.3/52/L.49)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/52/L.44, L.45, L.46, L.47, L.48, L.51, L.52 and L.53)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/52/L.54)

Draft resolution A/C.3/52/L.49: Fiftieth anniversary of the Universal Declaration of Human Rights

1. **Ms. Wronecka** (Poland), introducing draft resolution A/C.3/52/L.49 on behalf of the original sponsors and Israel, Liechtenstein and Moldova, said that the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights was an appropriate opportunity to review five decades of achievements and failures and further spread the Declaration's universal message. Recognition of the diversity of the world's historical, cultural and religious traditions should be a source of strengthened determination in efforts to promote, in a spirit of tolerance, the value of human dignity. The anniversary should be an occasion to identify obstacles to be overcome in order to achieve the objective, universal respect for the rights of all individuals. In order to help Governments to comply with their obligations, further international cooperation was indispensable among equal partners. The international community should be concerned with human rights violations wherever they occurred.

2. The aim of the draft resolution was to initiate a comprehensive programme of preparations involving all the relevant actors and components of the United Nations system. Her delegation hoped that the draft resolution would be adopted by consensus.

3. **Mrs. Tavares de Alvarez** (Dominican Republic) said that draft resolution A/C.3/52/L.49 should refer to all the human rights of all people and therefore proposed that the phrase "for all" should be inserted after the phrase "all human rights and fundamental freedoms" in the final preambular paragraph and in paragraphs 2, 8 and 9. Such an amendment would further strengthen the wording of the draft resolution, which her delegation would then sponsor.

4. **The Chairman** suggested that the representative of the Dominican Republic should confer with the representative of Poland with regard to the proposed amendment.

Draft resolution A/C.3/52/L.44: Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

5. **Mr. Ferrer Rodriguez** (Cuba) introduced draft resolution A/C.3/52/L.44 on behalf of the original sponsors and the Islamic Republic of Iran, Mali, Nigeria, Uganda and the United Republic of Tanzania. The draft text, which was based on essential principles set forth in the Charter of the United Nations and international law, recognized that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections, reaffirmed that it was the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, and reiterated that all peoples had the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development. It was hoped that the draft resolution would be supported, as its predecessors had been at previous sessions, by the majority of Member States.

Draft resolution A/C.3/52/L.45: Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

6. **Ms. Shestak** (United States of America) introduced draft resolution A/C.3/52/L.45 on behalf of the original sponsors, joined by Andorra, Chile, Greece, Liberia, Liechtenstein, Lithuania, Micronesia, Mongolia, Panama, Philippines, San Marino, Slovenia, Spain, Solomon Islands and Uzbekistan. While the draft text was based on previous resolutions on that item, a number of new elements had been included. The importance of respect for the results of elections that had been verified as free and fair was underlined. Reference was made to the Third International Conference of the New or Restored Democracies on Democracy and Development, held in Romania in September 1997. The draft resolution encouraged the Secretary-General, through the Electoral Assistance Division, to respond to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance. A number of paragraphs underscored the fact that United Nations electoral assistance was given only when requested by the recipient Member State. Her delegation

hoped that it would be possible to achieve a consensus on the draft resolution.

Draft resolution A/C.3/52/L.46: Human rights and unilateral coercive measures

7. **Mr. Alaee** (Islamic Republic of Iran), introducing draft resolution A/C.3/52/L.46 on behalf of the sponsors, said that the text was essentially the same as that of its predecessor at the previous session. The underlying reason for submitting the draft resolution was the fact that the negative impact of unilateral coercive measures on the enjoyment of human rights in an increasing number of developing countries had reached alarming proportions and had had adverse economic, social and cultural effects. The sponsors strongly believed that the General Assembly should continue its endeavours to protect those rights. In view of the importance of the question under consideration, it was hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/52/L.47: Respect for the right to universal freedom of travel and the vital importance of family reunification

8. **Mr. Ferrer Rodriguez** (Cuba), introducing draft resolution A/C.3/52/L.47, said that the promotion and protection of the rights of persons who decided to emigrate, including the right to family reunification, should continue to be given priority in the formulation of national and international policies. The draft resolution reaffirmed that all Governments must recognize the vital importance of family reunification and called upon all States to refrain from enacting legislation intended as a coercive measure that discriminated against individuals or groups of legal migrants. The draft text was similar to the resolutions adopted at previous sessions on that question and it was hoped that it would be supported by the Committee.

Draft resolution A/C.3/52/L.48: Elimination of all forms of religious intolerance

9. **Mr. McDonald** (Ireland) introduced draft resolution A/C.3/52/L.48 on behalf of the original sponsors and the Czech Republic, Mauritius and Slovenia. There was ample evidence that religious intolerance remained a reality in many parts of the world. The report of the Special Rapporteur on the elimination of all forms of religious intolerance and of discrimination based on religion or belief detailed egregious violations of the right to freedom of religion or belief and demonstrated the degree to which that most fundamental human right continued to be breached. All Governments should assist the Special Rapporteur fully in the discharge of his mandate. The sponsors hoped that the draft resolution would be adopted by consensus. In that way, the international community would underscore its determination to ensure freedom of religion or belief.

Draft resolution A/C.3/52/L.51: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

10. **Ms. Schiefermair** (Austria), introducing draft resolution A/C.3/52/L.51 on behalf of the original sponsors and Romania, said that the promotion and protection of the rights of persons belonging to minorities contributed to peace and stability and enriched the cultural heritage of society as a whole. The draft resolution acknowledged the important role of the United Nations in that context and welcomed the activities undertaken within the framework of the inter-agency consultation of the High Commissioner for Human Rights. The special representatives, special rapporteurs and working groups of the Commission on Human Rights were called upon to continue to give attention to situations involving minorities. In order to streamline the work of the Third Committee and in view of the important role of the Working Group on Minorities, her delegation had decided to biennialize consideration of the resolution on that question in the General Assembly. In paragraph 14, the words "and continue to hold one session annually" had been deleted. It was hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/52/L.52: Human rights in the administration of justice

11. **Ms. Schiefermair** (Austria) introduced draft resolution A/C.3/52/L.52 on behalf of the original sponsors, joined by the Czech Republic and Liechtenstein. The draft text focused on existing human rights standards in the administration of justice, especially with regard to juveniles in detention. It welcomed the work of the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice in that area and emphasized the need for close coordination of their activities relating to the administration of justice. It was hoped that the draft resolution would again be supported by many delegations from all regions.

Draft resolution A/C.3/52/L.53: Strengthening of the rule of law

12. **Mr. Neiva Tavares** (Brazil) introduced draft resolution A/C.3/52/L.53 on behalf of the original sponsors, joined by Mongolia and Samoa. The draft text updated General Assembly resolution 51/96 and was basically

intended to provide guidance to the High Commissioner for Human Rights on how to proceed in implementing the relevant recommendations set forth in the Vienna Declaration and Programme of Action. The text affirmed the role of the High Commissioner as the focal point for coordinating system-wide attention to human rights, democracy and the rule of law. It was hoped that, as in previous years, the draft resolution would be adopted without a vote.

Draft resolution A/C.3/52/L.54: Human rights in Haiti

13. **Ms. Duran** (Venezuela), introducing draft resolution A/C.3/52/L.54 on behalf of the sponsors, said that the aim of the draft resolution was to recognize the efforts of the Government of Haiti to improve the human rights situation in that country as a result of the consolidation of its democratic institutions, and the work in that regard carried out by the Secretary-General, his Special Representative for Haiti and the independent expert of the Commission on Human Rights. The international community was invited to continue its involvement in the reconstruction and development of Haiti, having regard to the fragility of the political, social and economic situation of the country. The sponsors hoped that the draft resolution would be adopted, as in previous years, without a vote.

The meeting rose at 4.05 p.m.

United Nations A/C.3/52/SR.45

General Assembly
Fifty-second session

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Third Committee

Summary record of the 45th meeting
Held at Headquarters, New York, on Friday, 21 November 1997, at 3 p.m.

Chairman: Mr. Busacca ..... (Italy)

Contents

Agenda item 112: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*)

(a) Implementation of human rights instruments (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

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97-82970 (E)

The meeting was called to order at 3.25 p.m.

Agenda Item 112: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/52/L.50, L.55 and Corr.1, L.56, L.57, L.58 and L.60)

Draft resolution A/C.3/52/L.50: Protection of United Nations personnel

1. **Ms. Diogo** (Portugal), introducing draft resolution A/C.3/52/L.50, said that the original sponsors had been joined by Afghanistan, Angola, Belgium, Chile, Iceland, Kyrgyzstan, the Netherlands, the Republic of Korea, Samoa and the United Kingdom. The draft resolution was a response to threats to the security of United Nations personnel, which had become a cause of increasing concern in recent months, prompting the Commission on Human Rights, in its resolution 1997/25, to call for the issue to be considered at the current session of the General Assembly. The draft resolution urged all States to ensure respect for the human rights of United Nations personnel, in particular their right to life, and called for security matters to be treated as an integral part of the planning for United Nations operations. The draft resolution was also intended as a tribute to the courage shown by United Nations and associated personnel. The sponsors therefore hoped that it would be adopted by consensus.

Draft resolution A/C.3/52/L.55: United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights

2. **Ms. de Wet** (Namibia) introduced draft resolution A/C.3/52/L.55 on behalf of the original sponsors, as listed in document A/C.3/52/L.55/Corr.1, and Belarus, Canada, Côte d'Ivoire, the Republic of Korea, Swaziland and the Sudan. The draft resolution contained a new preambular paragraph welcoming the decision of the Subcommission on Prevention of Discrimination and Protection of Minorities to place the question of the right to education, and in particular human rights education, on its agenda for the duration of the Decade. In paragraph 3, Governments were urged, when developing national plans of action for human rights education, to take into account the guidelines contained in the addendum to the Secretary-General's report on the matter (A/52/469/Add.1). In paragraph 14, the Commission on Human Rights was encouraged to consider jointly the question of the Decade and the issue of public information activities in the field of human rights, the Third Committee having found that joint consideration of those two questions resulted in more comprehensive coverage. The sponsors hoped that, as in the past, the draft resolution would be adopted by consensus.

Draft resolution A/C.3/52/L.56: Protection of and assistance to internally displaced persons

3. **Mr. Wille** (Norway) introduced draft resolution A/C.3/52/L.56 on behalf of the original sponsors and Albania.

Draft resolution A/C.3/52/L.57: Strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

4. **Mr. Ferrer Rodriguez** (Cuba) introduced draft resolution A/C.3/52/L.57 on behalf of the original sponsors and Bangladesh. The sponsors hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/52/L.58: Human rights and terrorism

5. **Mr. Arda** (Turkey), introducing draft resolution A/C.3/52/L.58 on behalf of the original sponsors and Colombia, said that terrorism violated the most fundamental human right of all, namely, the right to life. While terrorism killed individuals indiscriminately, its purpose was to create a climate of fear in society at large. It was vital that the international community demonstrate its resolve to combat terrorism and the sponsors therefore hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/52/L.60: National institutions for the promotion and protection of human rights

6. **Mr. Mukhopadhaya** (India), introducing draft resolution A/C.3/52/L.60, said that the original sponsors had been joined by Austria, Bangladesh, Cameroon, Chile, Colombia, the Czech Republic, Italy, Mali, Mongolia, Nepal, New Zealand, Nigeria, the Philippines, Portugal, Slovenia, South Africa, Thailand and the United States of America.

7. The creation by a growing number of countries of national institutions for the promotion and protection of human rights was a welcome development, as was the recent strengthening of cooperation among those institutions at the regional level. The new tenth preambular paragraph, which listed examples of such cooperation, required the following revision: the words "the Second European Meeting of

National Institutions for the Promotion and Protection of Human Rights, held in Copenhagen in January 1997," should be added in the sixth line following the words "Australia, in July 1996". Since national institutions were an innovative and effective means of promoting and protecting human rights, the sponsors hoped that, as in the past, the draft resolution would be adopted by consensus.

8. **The Chairman** announced that Argentina, Benin, El Salvador, Ethiopia, Guatemala, Guinea-Bissau, Israel, Niger, Panama, the Republic of Moldova, Romania and Togo also wished to sponsor the draft resolution.

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/52/L.61, L.63 and L.64)

Draft resolution A/C.3/52/L.61: Situation of human rights in Kosovo

9. **Mr. Spirollari** (Albania) introduced draft resolution A/C.3/52/L.61 on behalf of the original sponsors and Djibouti and Poland. The text of the draft resolution was essentially the same as that of General Assembly resolution 51/111, although some revisions had been made to reflect the current situation in Kosovo. Reference was made, in particular, to the failure of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to implement the 1996 memorandum of understanding on the education system in Kosovo. The sponsors hoped that the draft resolution would be adopted by the largest possible majority.

Draft resolution A/C.3/52/L.63: Situation of human rights in Myanmar

10. **Mr. Rönquist** (Sweden), introducing draft resolution A/C.3/52/L.63 on behalf of the original sponsors and Slovakia, read out the following revisions: in the tenth preambular paragraph, the word "*Noting*" should be replaced by "*Welcoming*"; in paragraph 4, the words "on 28 October 1997 in Mayangon township," should be deleted; and in paragraph 18, the words "International Committee of the Red Cross" should be replaced by "international humanitarian organizations".

11. The text of the draft resolution was essentially the same as that of General Assembly resolution 51/117, although a number of revisions had been made to reflect developments in Myanmar, both positive and negative, over the past year. In the tenth preambular paragraph, the General Assembly welcomed the contact between the Government of Myanmar and the National League for Democracy, while regretting the Government's failure to engage in a substantive dialogue with the League's General Secretary, Aung San Suu Kyi. In paragraph 7, it welcomed the visit to Myanmar of the Envoy of the Secretary-General. However, in the sixth preambular paragraph, it noted with concern that the Government of Myanmar had not yet agreed to a visit by the Special Rapporteur of the Commission on Human Rights. Positive steps highlighted in the draft resolution included the holding of the Ninth Anniversary Conference of the National League for Democracy in September 1997 (para. 9) and Myanmar's accession to the Convention on the Elimination of All Forms of Discrimination against Women in July 1997 (para. 14). Despite those developments, however, human rights violations persisted in Myanmar and the Government was therefore urged once again to end the impunity of perpetrators of such violations and to transfer power to democratically elected representatives. The sponsors hoped that, as in the past, the draft resolution would be adopted by consensus.

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/C.3/52/L.64)

Draft resolution A/C.3/52/L.64: Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

12. **Mr. Theuermann** (Austria) introduced draft resolution A/C.3/52/L.64 on behalf of the sponsors, who had been joined by Belgium, Croatia, Malaysia, Poland, the Republic of Korea, Samoa and the United Kingdom. He drew the Committee's attention to the following revision: in paragraph 8, the words "in particular" should be replaced by "including".

13. The purpose of the draft resolution was to determine the modalities for the five-year review of progress made in the implementation of the Vienna Declaration and Programme of Action, which was to take place in 1998. In paragraph 15, the United Nations High Commissioner for Human Rights was requested to present an interim report to the Commission on Human Rights at its fifty-fourth session and a final report to the General Assembly at its fifty-third session, based on progress reports received from Governments and United Nations agencies and programmes. The General Assembly's consideration of the High Commissioner's report would mark the culmination of the five-year review and some delegations had therefore proposed the adoption of a new agenda item on the issue, which would be taken up by the plenary Assembly. However, it had been decided, as stated in paragraph 16, that the debate should take place within the Third Committee

under the existing sub-item entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action". That would avoid a proliferation of agenda items, although when it took up its programme of work for the fifty-third session, the Committee might decide to deal with that sub-item separately from the other human rights sub-items.

14. The sponsors hoped that the draft resolution would be adopted by consensus.

15. **The Chairman** announced that the Bahamas, Bolivia, El Salvador, Finland, Pakistan, Panama, South Africa, Spain and Sweden also wished to sponsor the draft resolution.

(a) Implementation of human rights instruments (*continued*) (A/C.3/52/L.49)

Draft resolution A/C.3/52/L.49: Fiftieth anniversary of the Universal Declaration of Human Rights

16. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.49, which had no programme budget implications.

17. **Ms. Wronecka** (Poland) said that Albania, Australia, Bangladesh, the Central African Republic, Denmark, Iceland, India, Ireland, Israel, Japan, Liechtenstein, the Netherlands, New Zealand, Paraguay, the Philippines, the Republic of Korea, the Republic of Moldova and Turkmenistan had joined the sponsors of draft resolution A/C.3/52/L.49. The text had been revised in two places: the phrase "for all" had been added at the end of paragraph 2 and the phrase "including the adoption of the Declaration on the Right to Development" had been added at the end of paragraph 10. The sponsors hoped that the draft resolution would be adopted by consensus.

18. **The Chairman** announced that Armenia, Azerbaijan, Barbados, Benin, Cameroon, El Salvador, Ethiopia, Guinea-Bissau, Kenya, Mali, Morocco, Mozambique, Pakistan, the Russian Federation, Solomon Islands and Turkey had also become sponsors of the draft resolution.

19. **Ms. Tavares de Alvarez** (Dominican Republic), speaking in explanation of position, said that her country had been concerned about human rights since the founding of the United Nations and continued to work for the protection of all human rights, not just those recognized in the Charter but those which had emerged subsequently. Her delegation had requested that the words "for all" be inserted after the phrase "all human rights and fundamental freedoms" throughout the draft resolution, but since a number of delegations had raised objections, the words "for all" had been inserted in only three paragraphs. She failed to understand why certain delegations objected to the idea that all human rights should be for everyone and she would like to hear a convincing explanation as to why the words "for all" had been inserted in some paragraphs and not in others. Although her delegation would join in the consensus, it wished to express its concern at that omission and its regret that it was unable to join in sponsoring the draft resolution.

20. *Draft resolution A/C.3/52/L.49, as orally revised, was adopted without a vote.*

21. **Mr. Spitzer** (United States of America) said that his delegation would have preferred several changes to be made in the text of the draft resolution. To ensure maximum clarity, the fourth preambular paragraph should have referred to human rights and fundamental freedoms, as a reflection of the commitment to honour all human rights equitably. Similarly, in the seventh preambular paragraph it was inappropriate to equate the Vienna Declaration and Programme of Action with the Universal Declaration of Human Rights or the international Covenants. Furthermore, his delegation could not accept the concept expressed in the eleventh preambular paragraph, which could be interpreted as setting an economic precondition for the implementation of the full range of human rights. There were no preconditions for striving to achieve that universal standard. Lastly, his delegation would have preferred the twelfth preambular paragraph to parallel the wording of the Charter of the United Nations with regard to promoting and encouraging respect for human rights and fundamental freedoms through the adoption and implementation of international instruments. The United States had nevertheless been pleased to join in the consensus on the draft resolution and pledged to work to ensure that human rights and fundamental freedoms were respected everywhere.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/52/L.44, L.46, L.47, L.48, L.51, L.52 and L.53)

Draft resolution A/C.3/52/L.44: Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

22. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.44, which had no programme budget implications. Cameroon, Equatorial Guinea, the Islamic Republic of Iran, Mali, Niger, Nigeria, Uganda and the United Republic of Tanzania had become sponsors.

23. **Ms. Newell** (Secretary of the Committee) announced that paragraph 6 of the draft resolution had been deleted.

24. **Ms. Kirsch** (Luxembourg), speaking in explanation of vote on behalf of the countries members of the European Union, said that the draft resolution undermined the efforts made by many States to enhance the effectiveness of the principle of periodic and genuine elections. Those efforts were in accordance with one of the fundamental provisions of the Universal Declaration of Human Rights, namely, that the will of the people, as expressed in such elections, shall be the basis of the authority of government.

25. In recent years, a large number of countries had requested electoral assistance from the United Nations and other international organizations. Such assistance was, of course, provided only at the request of the countries concerned. While fully supporting the purposes and principles of the Charter of the United Nations referred to in the draft resolution, the European Union disapproved of the selective use of the Charter to justify the imposition of any limits on the right to vote and to be elected at genuine periodic elections. Accordingly, the countries members of the European Union would vote against the draft resolution and encouraged other delegations to do likewise.

26. *A recorded vote was taken on draft resolution A/C.3/52/L.44.*

In favour:

Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Barbados, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Egypt, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Afghanistan, Benin, Bolivia, Chile, Ecuador, Ethiopia, Gabon, Kazakhstan, Kyrgyzstan, Nicaragua, Saudi Arabia.

27. *Draft resolution A/C.3/52/L.44 was adopted by 78 votes to 56, with 11 abstentions.*

28. **Mrs. Castro de Barish** (Costa Rica), said that her delegation had not participated in the vote on draft resolution A/C.3/52/L.44. While it recognized the important principles referred to in that resolution, her delegation felt that the second clause of the seventh preambular paragraph could be interpreted as justifying recourse to unacceptable practices, such as intimidation or violence, to influence election results and keep Governments in power. Her delegation had also been opposed to the deletion of paragraph 6, because it felt that democracy, while not perfect, provided the most acceptable system for organizing and conducting free elections.

29. **Mr. Al-Humaimidi** (Iraq) said that his delegation would have voted in favour of draft resolution A/C.3/52/L.44 had it not been deprived of its right to vote under Article 19 of the Charter.

Draft resolution A/C.3/52/L.46: Human rights and unilateral coercive measures

30. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.46, which had no programme budget implications.

31. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Angola, Bahamas, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, El Salvador, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica,

Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Samoa, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Antigua and Barbuda, Argentina, Armenia, Barbados, Belarus, Belize, Bolivia, Cameroon, Dominican Republic, Gabon, Georgia, Honduras, Jordan, Kazakhstan, Kyrgyzstan, Malawi, Malta, Mauritania, Mongolia, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Solomon Islands, Trinidad and Tobago, Turkmenistan, Ukraine.

32. *Draft resolution A/C.3/52/L.46 was adopted by 74 votes to 46, with 26 abstentions.*

33. **Mr. Al-Humaimidi** (Iraq) said that his delegation would have voted in favour of draft resolution A/C.3/52/L.46 had it not been deprived of its right to vote under Article 19 of the Charter.

Draft resolution A/C.3/52/L.47: Respect for the right to universal freedom of travel and the vital importance of family reunification

34. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.47, which had no programme budget implications.

35. **Mr. Ferrer Rodriguez** (Cuba) announced that the phrase "individuals or groups of" had been deleted from paragraph 4 of the draft resolution.

36. *A recorded vote was taken.*

In favour:

Algeria, Armenia, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Qatar, Saudi Arabia, Senegal, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Belize, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland.

37. *Draft resolution A/C.3/52/L.47 was adopted by 75 votes to 1, with 76 abstentions.*

38. **Ms. Morgan** (Mexico) said that her delegation had voted in favour of the draft resolution because it felt that certain elements of the text were particularly important for promoting the human rights of migrants. Nevertheless, her delegation reiterated its position that freedom of travel was a right that had been established under article 13 of the

Universal Declaration of Human Rights and applied to all persons, whether or not they were migrants.

39. **Mr. Tapia** (Chile) said that his delegation had voted in favour of draft resolution A/C.3/52/L.47 because his country attached high priority to the rights of migrants. He nevertheless regretted that the draft resolution made no reference to the right of a person to leave any country, including his own, under article 13 of the Universal Declaration of Human Rights and article 12 of the International Covenant on Civil and Political Rights, which provided the ethical and legal basis for migration.

Draft resolution A/C.3/52/L.48: Elimination of all forms of religious intolerance

40. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/48, which had no programme budget implications.

41. **Mr. McGauran** (Ireland) announced that Cameroon, Costa Rica, Croatia, El Salvador, Guatemala, Haiti, India, Israel, Mali, Nicaragua, Poland, Slovakia, South Africa, Suriname, Ukraine and the United States of America had become sponsors of the draft resolution.

42. *Draft resolution A/C.3/52/L.48 was adopted without a vote.*

Draft resolution A/C.3/52/L.51: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

43. **The Chairman** invited the Committee to take action on the draft resolution A/C.3/52/L.51, which had no programme budget implications.

44. **Ms. Newell** (Secretary of the Committee) said that the phrase "and continue to hold one session annually," had been deleted from paragraph 14 of the draft resolution.

45. **Ms. Schiefermair** (Austria) announced that Bangladesh, El Salvador, India, Nicaragua, Poland and the Russian Federation had become sponsors of the draft resolution.

46. *Draft resolution A/C.3/52/L.51 was adopted without a vote.*

Draft resolution A/C.3/52/L.52: Human rights in the administration of justice

47. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.52, which had not programme budget implications.

48. **Ms. Schiefermair** (Austria) announced that Bangladesh, Cameroon, the Dominican Republic, El Salvador, France, Israel, Morocco, the Netherlands, Nicaragua, Panama, Poland, the Russian Federation, South Africa, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom had become sponsors of the draft resolution.

49. *Draft resolution A/C.3/52/L.52 was adopted without a vote.*

Draft resolution A/C.3/52/L.53: Strengthening of the rule of law

50. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.53, which had no programme budget implications.

51. **Mr. Neiva Tavares** (Brazil) announced that Bangladesh, Barbados, Benin, Ethiopia, Ireland, Mali, the Federated States of Micronesia, Nepal, Papua New Guinea, Senegal, Slovakia, Togo and Turkmenistan had become sponsors of the draft resolution.

52. *Draft resolution A/C.3/52/L.53 was adopted without a vote.*

The meeting rose at 4.40 p.m.